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November 13, 2024

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Street
New York, New York 10007

Re: *United States v. Joshua Adam Schulte*, 17-cr-548 (JMF)

Dear Judge Furman:

Pursuant to an order of the United States Court of Appeals for the Second Circuit, I was appointed under the Criminal Justice Act to represent Joshua Adam Schulte in his direct appeal. Attached please find a copy of my order of appointment.

Several transcripts of proceedings on the docket continue to be sealed, either in their entirety or portions thereof. In order to effectively represent Mr. Schulte on appeal, it is necessary that I have access to those transcripts. The Southern District Court Reporter's office, however, requires an Order from this Court allowing me permission to obtain the sealed transcripts. In particular, I seek to access the following:

- 5/3/2022 Conference (sealed entirely)
- 6/3/2022 Final Pretrial Conf (portions sealed)
- 6/10/2022 Conference (sealed entirely)
- 6/24/2022 Jury Trial (sealed entirely)
- 7/26/2022 Status Conference (portions sealed)

In addition to the above, certain transcripts of proceedings remain classified. As cleared counsel, I believe I have access to all such transcripts, but after reviewing the currently sealed materials and classified transcripts maintained in the SCIF, I may make a further application to this Court regarding transcripts.

Last, as the Court knows, many of the filings in the on the District Court docket were submitted under seal, either maintained in chambers or placed in vault. A separate letter-motion will address any of those filings that I cannot presently access.

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For the foregoing reasons, I respectfully request that this Court so-order this letter-motion for access to the presently sealed transcripts listed above.

Respectfully submitted,

/s/

MEGAN WOLFE BENETT, Esq.

Attorney for defendant

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**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 29th day of February, two thousand twenty-four.

ORDER

United States of America,

Appellee,

Docket No. 24-367

v.

Joshua Adam Schulte,

Defendant - Appellant.

Cesar de Castro moves to be relieved as counsel for the Appellant.

IT IS HEREBY ORDERED that the motion to be relieved is GRANTED. Megan Wolfe Benett, Esq., Kreindler & Kreindler LLP, 485 Lexington Avenue, 28th Floor, New York, NY 10017 is assigned as new counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Attorney Benett is directed to review Local Rule 31.2 regarding procedures for setting the filing dates for the submission of briefs.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court

 